

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

A Regular Meeting of the Aransas Pass City Council was held on Monday, January 3, 2022. A notice of the meeting was posted 72 hours in advance in accordance with Section 551, Texas Government Code. Council Members Vickie Abrego, Jason Knight, and Janet Moore were present; Mayor Ramiro Gomez and Mayor Pro Tem Carrie Scruggs were absent from the meeting. Also present was City Manager Gary Edwards and City Attorney Roxann Pais Cotroneo.

1. CALL MEETING TO ORDER.

Council Member Moore called the meeting to order at 6:00 pm.

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.

Donald Volz, Crosstown Church gave the invocation and led the Pledge of Allegiance to the United States.

3. PRESENTATIONS AND PROCLAMATIONS:

3.I ~~Long term planning for Civic Center, Aquatic Center, and the Ed & Hazel Richmond Public Library – Kaylynn Paxson, Director of Community Enrichment~~

Gary Edwards, City Manager announced that this item is being postponed until the next regular meeting.

4. BOARD AND COMMISSION APPOINTMENTS:

There were no board appointments.

5. CONSENT AGENDA:

5.I Approval of Regular Meeting Minutes of November 22, 2021

A motion was made by Council Member Abrego to approve Item 5.I, seconded by Council Member Knight, and the motion passed.

6. PUBLIC HEARINGS:

6.I Case No. 2110-12

1. Public hearing on request submitted by Jerry Kelly for a Conditional Use Permit to allow for a mixed land use (residential and existing sand excavating operation) on W. Gile Avenue, Block 212, Lots 10, 11, and 12, 24.275 acres, Aransas Pass, Texas, Aransas County Property IDs: 70399, 70400, and 65007. The property is currently zoned R-7B. (Postponed – 01/03/2022)

Osei Amo-Mensah, City Planner stated that the applicant, Jerry Kelly has been operating a sand excavation operation on Gile Avenue for less than ten (10) years without a permit. The property is currently zoned R7B and is in conflict with the

land use type. The case was presented to the Planning and Zoning Commission where the applicant requested that he be allowed to operate for two (2) more years to complete the excavation project, but after review of his request, the Planning and Zoning Commission voted to deny his request. Mr. Mensah stated the Commission recommended one month to clean up the property and put in place a plan that will provide clean up and safety to the location, and place a fence to protect the pond in the area. Mr. Mensah stated that Mr. Kelly has hired an Attorney who submitted a request asking that the case be postponed until February, but it is the council decision on whether to consider the request today or postpone until a later date.

Council Member Moore clarified that the Planning and Zoning Commission voted to give Mr. Kelly thirty (30) days plus one-year to close the operation, and Mr. Mensah responded that is correct, thirty days to close down, plus one-year to cleanup. Council Member Moore added that there were several complaints from the residents regarding this operation.

Adrian Trevino, stated that they are having a home built in the area. She discussed the road conditions, large trucks carrying the sand coming through the area several times a day at high speeds are damaging the road. Ms. Trevino stated that residents are on well water and expressed concern with the mining and the depth which could affect and contaminate the water. She stated they are also concern with the size of the pits, foundation and the hours of operation.

Danny Trevino stated that Mr. Kelly has been operating with no permit, and has safety concerns, mosquito issues, and the affect it could have on well water.

There being no further comments, Council Member Moore declared the public hearing closed.

2. FAILED

Consider and act on ordinance granting Conditional Use Permit to Jerry Kelly for two years to allow for a mixed land use (residential and existing sand excavation operation) on W. Gile Avenue, with remediation as shown in exhibits A and B, with Aransas County Property IDs: 70399, 70400, and 65007, Block 212, Lots 10, 11, and 12, 24.275 acres. The property is currently zoned "R-7B" single family district.

A motion was made by Council Member Abrego to deny the Conditional Use Permit to Jerry Kelly, seconded by Council Member Knight, and the motion to deny passed.

City Attorney Cotroneo clarified the action by the Council is to affirm with the Planning and Zoning Commission recommendation and there was concurrence. A motion was made by Council Member Abrego accepting the Planning and Zoning Commission recommendation, seconded by Council Member Knight, and the motion passed.

7. CITY MANAGER:

- 7.I Consider and Act on approving Task Order No. 1 to the Professional Services Agreement with K · Friese & Associates for engineering services for the FEMA-HMA grant to perform structural elevations for an amount not to exceed \$49,000.

Mr. Edwards stated this item relates to engineering services for the elevation grant, and further added that a “Kickoff Meeting” with the grant agencies and city staff is scheduled for this week.

A motion was made by Council Member Abrego to approve Item 7.I, seconded by Council Member Knight, and the motion passed.

7.II Consider and Act on re-scheduling the January 17, 2022 City Council Meeting due to a city holiday to Tuesday, January 18, 2022

A motion was made by Council Member Knight to approve Item 7.II, second by Council Member Abrego, and the motion passed.

8. COMMUNITY ENRICHMENT:

There were no Community Enrichment items

9. DEVELOPMENT SERVICES:

There were no Development Service items.

10. FINANCE:

There were no Finance Department items.

11. INFORMATION TECHNOLOGY:

There were no Information Technology items.

12. PUBLIC SAFETY:

There were no Public Safety items.

13. CITY COUNCIL OR STAFF ANNOUNCEMENT:

There were no city council or staff announcements.

14. CITIZEN COMMENTS:

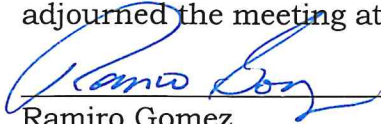
Howard Gillespie, San Patricio County Commissioner announced that he is seeking re-election in the upcoming election and asked for their support.

15. EXECUTIVE SESSION:


There were no executive session items.

16. ADJOURNMENT:

There being no further business to come before the Council, Council Member Moore adjourned the meeting at 6:18 pm.



Ramiro Gomez
Mayor



Mary Juarez
City Secretary

Approved on: January 18, 2022